

**SUPREME COURT MINUTES  
TUESDAY, NOVEMBER 17, 2009  
SAN FRANCISCO, CALIFORNIA**

**S177981**      A126724 First Appellate District, Div. 3

**ARCARESE (PETER M.) v.  
S.C. (UNKNOWN ABUSIVE  
USER)**

Petition for review & application for stay denied

**S069685**

**PRICE (CURTIS F.) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Jan Nielsen Little's representation that she anticipates filing the exceptions to the referee's report and brief on the merits by December 22, 2009, counsel's request for an extension of time in which to file that document is granted to December 22, 2009. After that date, no further extension is contemplated.

**S092615**

**PEOPLE v. DEEN (OMAR  
RICHARD)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to January 15, 2009.

**S101247**

**PEOPLE v. VARGAS  
(EDUARDO DAVID)**

Extension of time granted

Appellant's request for relief from default is granted.

Good cause appearing, and based upon counsel Russell S. Babcock's representation that he anticipates filing the appellant's opening brief by July 15, 2010, counsel's request for an extension of time in which to file that brief is granted to December 18, 2009. After that date, only four further extensions totaling about 210 additional days are contemplated.

**S137676****HORNING (DANNY RAY) ON  
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Barry M. Karl's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by March 18, 2010, counsel's request for an extension of time in which to file that document is granted to January 15, 2010. After that date, only one further extension totaling about 60 additional days is contemplated.

**S138147****SMITH (GREGORY SCOTT)  
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Susan Sullivan Pithey's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by January 11, 2010, counsel's request for an extension of time in which to file that document is granted to January 11, 2010. After that date, no further extension is contemplated.

**S157098****BUNYARD (JERRY  
THOMAS) ON H.C.**

Extension of time granted

Good cause appearing, counsel's request for an extension of time in which to file the reply to the informal response to the petition for writ of habeas corpus is granted to January 11, 2010. The court anticipates that after that date, only three further extensions totaling about 180 additional days will be granted.

**S175242**

C059321 Third Appellate District

**JENKINS (HARVEY ZANE)  
ON H.C.**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the Opening Brief on the Merits is extended to January 6, 2010.

**S177465**

B219310 Second Appellate District, Div. 2

**GUIJARRO (JENNIFER  
ISABEL) v. S.C. (PEOPLE)**

Extension of time granted

On application of real party in interest and good cause appearing, it is ordered that the time to serve and file the answer to petition for review is hereby extended to December 4, 2009.

**S177501** H031019 Sixth Appellate District**TICHININ (BRUCE) v. CITY  
OF MORGAN HILL**

Extension of time granted

On application of appellant and good cause appearing, it ordered that the time to serve and file the answer to petition for review is extended to November 30, 2009. The reply to the answer to petition for review will be due on December 10, 2009.

**S177899****JACKSON (JAMES MORRIS)  
v. S.C. (PEOPLE)**

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District.

**S176712****HENRY ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that HOWARD DAVID HENRY, State Bar Number 134634, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

HOWARD DAVID HENRY must make restitution as recommended by the Hearing Department of the State Bar Court in its decision filed June 9, 2009. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

HOWARD DAVID HENRY must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S176714****CRISCIONE ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JAMES PAUL CRISCIONE, State Bar Number 105622, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

JAMES PAUL CRISCIONE must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S176715****CORDREY ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that DAVID MARK CORDREY, State Bar Number 136671, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

DAVID MARK CORDREY must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S176717****CALLENDER ON  
DISCIPLINE**

Recommended discipline imposed

The court orders that SUSAN ANGELA CALLENDER, State Bar Number 187501, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and she is placed on probation for one year subject to the following conditions:

1. SUSAN ANGELA CALLENDER must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 19, 2009; and
2. At the expiration of the period of probation, if SUSAN ANGELA CALLENDER has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

SUSAN ANGELA CALLENDER must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S176722****NGUYEN ON DISCIPLINE**

Recommended discipline imposed

The court orders that PETER TRAN NGUYEN, State Bar Number 208100, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. PETER TRAN NGUYEN is suspended from the practice of law for the first 120 days of probation;
2. PETER TRAN NGUYEN must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 7, 2009; and

3. At the expiration of the period of probation, if PETER TRAN NGUYEN has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

PETER TRAN NGUYEN must take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

PETER TRAN NGUYEN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for the years 2011 and 2012. If PETER TRAN NGUYEN fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S176723****RIFKIN ON DISCIPLINE**

Recommended discipline imposed

The court orders that HOWARD LAWRENCE RIFKIN, State Bar Number 82671, is suspended from the practice of law in California for four years, execution of that period of suspension is stayed, subject to the following conditions:

1. HOWARD LAWRENCE RIFKIN is suspended from the practice of law for a minimum of two years, and he will remain suspended until the following requirements are satisfied:
  - i. The State Bar Court grants a motion to terminate his suspension pursuant to rule 205 of the Rules of Procedure of the State Bar. HOWARD LAWRENCE RIFKIN must comply with the conditions of probation, if any, imposed by the State Bar Court as a condition for terminating his suspension; and
  - ii. HOWARD LAWRENCE RIFKIN must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)

HOWARD LAWRENCE RIFKIN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S176725****ROBINSON ON DISCIPLINE**

Recommended discipline imposed

The court orders that ANGELA DENIESE ROBINSON, State Bar Number 154052, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and she is placed on probation for two years subject to the following conditions:

1. ANGELA DENIESE ROBINSON must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 9, 2009; and
2. At the expiration of the period of probation, if ANGELA DENIESE ROBINSON has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

ANGELA DENIESE ROBINSON must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with her membership fees for the years 2010, 2011, and 2012. If ANGELA DENIESE ROBINSON fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S176726****MILLS ON DISCIPLINE**

Recommended discipline imposed

The court orders that ROBERT PARKER MILLS, State Bar Number 48342, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. ROBERT PARKER MILLS must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 16, 2009; and
2. At the expiration of the period of probation, if ROBERT PARKER MILLS has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

ROBERT PARKER MILLS must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for the years 2010 and 2011. If ROBERT PARKER MILLS fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable

immediately.

**S176727****MESSER ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that PAUL JAY MESSER, State Bar Number 224537, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

PAUL JAY MESSER must make restitution as recommended by the Hearing Department of the State Bar Court in its decision filed June 16, 2009. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

PAUL JAY MESSER must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S176728****MANGAR ON DISCIPLINE**

Recommended discipline imposed

The court orders that DAVID DEAN MANGAR, State Bar Number 172628, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, subject to the following conditions:

1. DAVID DEAN MANGAR is suspended from the practice of law for a minimum of six months, and he will remain suspended until the following requirements are satisfied:
  - i. The State Bar Court grants a motion to terminate his suspension pursuant to rule 205 of the Rules of Procedure of the State Bar; and
  - ii. If he remains suspended for two years or more as a result of not satisfying the preceding condition, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. DAVID DEAN MANGAR must comply with the conditions of probation, if any, imposed by the State Bar Court as a condition for terminating his suspension.

DAVID DEAN MANGAR must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of his suspension, whichever is longer, and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

DAVID DEAN MANGAR must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or

suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S176729****FAZZI ON DISCIPLINE**

Recommended discipline imposed

The court orders that LOUIS GEORGE FAZZI, State Bar Number 84362, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. LOUIS GEORGE FAZZI is suspended from the practice of law for the first year of probation;
2. LOUIS GEORGE FAZZI must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on June 11, 2009; and
3. At the expiration of the period of probation, if LOUIS GEORGE FAZZI has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

LOUIS GEORGE FAZZI must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

LOUIS GEORGE FAZZI must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.



